PLANNING COMMISSION MINUTES

Gardner, Kansas Monday, July 9, 2007

The Planning Commission met in regular session on the above date at the Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

I. Call to Order

Vice Chairman Godwin called the meeting to order at 7:07 p.m. Commissioners present: Paul Kilgore, Greg Godwin, Eileen Mertz, Dan Popp and Jason Burnett. Commissioners absent: Stephen Koranda and Eric Schultz. Also present: Community Development Director Fred Sherman; Planner Amy Banks; and several concerned citizens.

II. Pledge of Allegiance

Vice Chairman Godwin led the Pledge of Allegiance.

III. Approval of Minutes

The minutes of the June 25, 2007, meeting were approved by unanimous consent.

IV. Agenda Items

1. Capital Improvement Plan – 2008-2013

Conduct a public hearing to discuss the 2008-2013 Capital Improvement Plan of the City of Gardner.

SUMMARY: The Capital Improvement Plan (CIP) is adopted as part of the City's annual budget cycle. Kansas State Statute KS 12-748 requires Planning Commission approval of the CIP as being in conformity with the community development plan. The statute states:

- "12-748. Same; construction of public facility or utility in conformance with comprehensive plan. (a) Except as provided in subsection (b), whenever the planning commission has adopted and certified the comprehensive plan for one or more sections or functional subdivisions thereof, no public improvement, public facility or public utility of a type embraced within the recommendations of the comprehensive plan or portion thereof shall be constructed without first being submitted to and being approved by the planning commission as being in conformity with the plan. If the planning commission does not make a report within 60 days, the project shall be deemed to have been approved by the planning commission. If the planning commission finds that any such proposed public improvement, facility or utility does not conform to the plan, the commission shall submit, in writing to the governing body may override the plan and the report of the planning commission, and the plan for the area concerned shall be deemed to have been amended.
 - a. Whenever the planning commission has reviewed a capital improvement program and found that a specific public improvement, public facility or public utility of a type embraced within the recommendations of the comprehensive plan or portion thereof is in conformity with such plan, no further approval by the planning commission is necessary under this section.
 - b. The provisions of this section shall become effective on and after January 1, 1992."

STAFF RECOMMENDATION: Staff recommends that the Planning Commission approve the Capital Improvement Plan 2008 - 2013 for the City of Gardner, and find that the plan is in conformity with the adopted Community Development Plan - 2003.

City Administrator Fairburn presented the 2008-2013 Capital Improvement Plan which highlighted: Water System Projects; Wastewater System Projects (Sewer); Electric System Projects; Street System Projects; Storm Drainage Projects; Parks and Recreation Projects and Buildings and Structures Projects.

Vice Chairman Godwin invited comments from the public.

Commissioner Popp asked if the plans for the Electric Energy Station (substation) on Santa Fe would be an addition/renovation or a new building and at what location.

City Administrator Fairburn explained that it would be a new building using the current location and that all three existing substations are needing expansion over the next five years.

Commissioner Popp asked if the Public Safety Station #3 building would have the same building plans as the Public Safety Station #2 building.

City Administrator Fairburn explained that the current plans for Public Safety Station building #3 are similar to Public Safety Station building #2 and would be reevaluated once Station #2 is up and running.

Motion Popp, Second Burnett, to Close Public Hearing Carried: 5 to 0 Aye (Koranda, Schultz: Absent)

Vice Chairman Godwin and Director Sherman discussed the possibility of commissioners receiving input on future Capital Improvement Plans before going to public hearing.

Commissioners expressed concerns that temporary fixes for streets would become permanent fixes due to the current budget available.

V. Discussion Items

1. Subdivision Text Amendments / Chapter 17, Subdivision Regulations

The following is a list of the amendments to the Chapter 17 of the City Code – Subdivision Regulations. Many of the proposed text amendment changes are necessary due to the recently adopted code changes to Chapter 13 of the City Code – Streets and Sidewalks, and text changes to the city's Technical Specifications for Public Improvement Projects, as recommended by the city's engineering staff.

K.S.A. 12-749 requires that the Planning Commission conduct a public hearing before adopting or amending any subdivision regulations. With the publication of notice for a Public Hearing to consider amendments to Chapter 17 – Subdivision Regulations at the July 23, 2007 Planning Commission meeting, staff will also present some other potential text changes. Specific text amendments to Chapter 17 to consider:

Based on Engineering staff's recommendation to changes to Chapter 13 – Streets and Sidewalks.

- Modifications to the minimum amount of rights-of-way that would be required to be dedicated for Arterial Streets to 120 total feet. The code currently requires 100' of right-of-way for major arterials, 80' for minor arterials, and includes provisions for wider right-of-way close to intersections (17-307.2) Other code changes may be necessary to codify many of the listed street development standards.
- Standardizing the sidewalk requirements (4' sidewalks on both sides for residential and collector streets and 5' sidewalks
 on both sides of arterials) The code in the subdivision regulations (17-403.2)

Other potential text amendment changes to consider in Chapter 17:

- Revised standards on Preliminary Plat submission and approval process. 17-202)
- Defining a Minor Subdivision approval process, where a preliminary plat may be submitted concurrently with the final plat for consideration, or not required at all.
- Refining the length of time a final plat must be recorded to remain valid (17-203.4)
- Eliminating the Dwelling Size Classification requirement provision (17-309)
- Updated standards for Subdivision Entrance and Other Decorative Structures section, including the consideration of Master Fence/Screening provisions for developments adjacent to arterial thoroughfares.

Director Sherman gave a detailed explanation of the current subdivision regulations and guidelines including: sidewalks and streets; neighborhood "green areas" and the maintenance of those areas.

Director Sherman and the commissioners discussed future City policies regarding plat approval and the review process of those plats. Commissioner Popp gave examples of what other local cities require and expressed concern for Gardner's requirements.

VI. Adjourn

Motion Popp, second Mertz, to adjourn the meeting at 8:11 p.m.

Motion to Adjourn Carried: 5 to 0 Aye (Schultz and Koranda: Absent)

Angie Lind, Planning Service Specialist Community Development Department